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# History and Government of Missouri

BY

C. H. McCLURE, A.M.

PROFESSOR OF HISTORY AND CIVICS, STATE NORMAL SCHOOL  
WARRENSBURG, MISSOURI

*A Supplement to*

## ELEMENTARY AMERICAN HISTORY AND GOVERNMENT

BY

JAMES ALBERT WOODBURN, PH.D.

PROFESSOR OF AMERICAN HISTORY AND POLITICS IN INDIANA UNIVERSITY

AND

THOMAS FRANCIS MORAN, PH.D.

PROFESSOR OF HISTORY AND ECONOMICS IN PURDUE UNIVERSITY

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# HISTORY AND GOVERNMENT OF MISSOURI

BY C. H. McCLURE, A.M.

*Professor of History and Civics, State Normal School, Warrensburg, Missouri*

**Geography.** Missouri is located very near the center of the United States. It is also centrally located with respect to the Mississippi valley, the greatest drainage area in the world



adapted to the needs of civilized man. The Mississippi river, the great water highway across the United States from north to south, washes the entire eastern border of the state and the

Missouri forms about one third of the western boundary and then flows entirely across the state from west to east. The Ohio river enters the Mississippi opposite the southern portion of the state. The Ohio and the Missouri with the portion of the Mississippi between the mouths of the two rivers forms the great water highway which crosses the Mississippi basin from east to west. These waterways either border or traverse the state for nearly 1000 miles. Thus Missouri lies at the crossing of these great highways which furnished the chief means of travel and transportation before the coming of the railroad and which will always furnish great facilities for carrying freight.

Missouri has a great variety of surface features. There are nine different drainage areas in the state, each separated from the other by watersheds. These divides and the longer river valleys furnish natural routes for traversing the country. These natural routes were early utilized by the wild animals and determined the location of the buffalo path. The Indian trail followed the buffalo path. The blazed trail of the pioneer followed the Indian trail. The wagon road of the early settler followed the pioneer's trail. And the railroads of the present followed those wagon roads of the early settlers. These natural routes of travel exercised great influence on the early settlement of the state and are still potent factors in the lives of its people.

**Natural Resources.** The natural resources of Missouri are sufficient to insure her a prominent place among the commonwealths of the United States for all time, provided they are conserved and used with the good judgment that should characterize the action of civilized man. The chief natural resource of Missouri is her soils. There are a great variety of soils ranging from the rich loess soils of northwest Missouri to the thin stony soils of the Ozark region. The loess, a brown soil of glacial origin, is found in the northwest part of the state. The belt of loess soil follows the Missouri river, gradually becoming narrower until it disappears near the center of the state. Another very rich soil is the black alluvial soil found in the river valleys

in various parts of the state but chiefly in southeast Missouri. A third type of soil that is very productive and easily cultivated is the prairie soil. This is found north of the Missouri river outside of the loess and alluvial districts and south of the river in the western part of the state. Bordering the Ozarks is found a soil fully as productive, though not as easily cultivated, as the prairie soils of the state. Finally there is the large area of thin stony soil of the Ozarks covering the south central portion of the state. Yet these Ozark hills if devoted to fruit raising, dairying, and poultry are capable of sustaining a large population.

Second in importance to soil stand the mineral resources of the state. While gold and silver have not been found in any quantity, there is an abundance of the useful minerals, especially lead, zinc, coal, iron, and clay.

**Significance of Missouri History.** The location of Missouri on the great natural crossroads of the Mississippi valley, her unsurpassed natural resources, and the peculiar circumstances under which she was settled and developed, have made her history significant not only for her own citizens, but for the entire nation as well. Her application for statehood brought on the first violent slavery agitation experienced by the nation and lines drawn then were not materially changed until the issue was decided by the Civil War. (See pages 288-292.)

Missouri was for many years a peninsula of civilization thrust across the great river into the wilderness beyond, and as such she became the out-fitting point for pioneers and settlers going to Oregon, California, Texas, and other points in the great west. Missouri was also a peninsula of slave territory extending north of Mason and Dixon's line, and for forty years she maintained her position surrounded on three sides by free territory. (See map page 291.) In 1860 she was the most populous slave state except Virginia, the largest slave state except Texas, and was only surpassed in number of slaves by South Carolina. Missouri's great importance as a border state was recognized by

President Lincoln, who selected two of his cabinet members from Missouri and based his border state policy upon her leadership. After the Civil War the problems of Reconstruction were first fought out within her borders and it was here the Liberal Republican party was born and had its first and greatest successes. Thus Missouri pointed the way to a general amnesty and a reunited people.

#### DISCOVERY AND EXPLORATION, 1541-1732

**De Soto.** The first white man to set foot on Missouri soil was most probably the Spaniard, De Soto, in the year 1541. (See page 25.) His expedition seems to have traveled as far north as southern Missouri and crossed the state from east to west,<sup>1</sup> but his coming is of no importance except to mark a beginning. For 132 years no white man's voice was heard within the present limits of the state.

**The French.** The Frenchmen Joliet and Marquette floated down the Mississippi past the eastern border of Missouri in 1673. From this time on the French were active in exploring and settling the Mississippi valley.

In 1682 La Salle floated past Missouri, reached the mouth of the Mississippi river, and took possession of the entire valley for the king of France. These expeditions aroused sufficient interest in the valley of the great river among Canadians to cause missionaries, fur traders, and some Canadian-French peasants to come to the milder climate and richer soil of the southwest. Before 1700 at least two settlements, Kaskaskia and Cohokia, had been made in the rich bottom land just across the river from the present state of Missouri, the former about sixty, the latter about six miles below the site of St. Louis.

La Salle had attempted to found a settlement at the mouth of the Mississippi in 1686 but had failed. However, in 1699 the French-Canadian Iberville succeeded in establishing a permanent settlement near the mouth of the river, and from this

<sup>1</sup> See Houck's "History of Missouri," Vol. I, Ch. 1.

time on there was communication between the Illinois country and the outside world by way of the Mississippi river.

In 1712 the French government granted a monopoly of all the trade in the Mississippi valley to a rich French merchant named Crozat. After trying for five years to develop trade and spending considerable sums of money he surrendered his charter to the government. The same year, 1717, the entire valley was granted to the famous Mississippi Company. This company was given great privileges in France as well as in America. It was allowed to issue paper currency in France guaranteed by the stock of the company. The development of the Mississippi was necessary in order to make the stock good. The company, therefore, spent millions of dollars in an effort to develop the country. Fort Chartres was founded a few miles above Kaskaskia. Du Tigne was sent to explore what is now the interior of Missouri. Renault, one of the directors of the company, came out in 1720 with a large number of skilled miners and slaves. He found no silver or gold, but worked the lead mines around Potosi. Fort Orleans was erected somewhere on the upper Missouri, probably in what is now Saline County, but was destroyed by the Indians after a few years. After about fourteen years of activity, during which the population of the valley was increased to about 7000, the company failed and surrendered its charter to the crown in 1731. Although no permanent settlement had been made within the present state of Missouri, so far as we know, the country was well known and was being traversed every year by missionaries, miners, and fur traders.

#### PERIOD OF SETTLEMENT, 1732-1804

**Ste. Genevieve.** The first permanent settlement within the present limits of the state of Missouri was made at Ste. Genevieve at least as early as 1732. Soon after the settlement at Kaskaskia the people began crossing the river to obtain salt which could be manufactured on the Saline river on the west side of the Mississippi. The famous lead mines of St. François and

Washington counties were soon discovered, and the French secured lead there for the manufacture of bullets quite early. The lead and slate mines were worked by people who lived on the east side of the river at first, but later they built homes on the west side of the river at Ste. Genevieve. Just how early the first inhabitants of Ste. Genevieve built their cabins there, is not known, but there is evidence that it was about 1732.

The period of settlement naturally falls into two parts: the French period from 1732 to 1763, and the Spanish period from 1763 to 1804.

**The French Period.** After the Mississippi Company surrendered its charter in 1731 and quit spending money trying to develop Louisiana, the population declined. About 7000 people lived in the valley in 1731, and ten years later there were not more than 5000. The French government was not interested in America and the colony was a continual expense. The people lived the easy free life of the pioneer. The soil was so rich that very little effort was required to produce all the agricultural products needed. There was no incentive to produce more because there was no market. Some food supplies were sent to New Orleans because that part of the colony did not raise enough for its own consumption. The people trapped and traded in furs which could be sent to the European market much easier than the more bulky agricultural products. The people had no education and did not want any. The priest could do the reading for the entire community. They took no part in the government and did not want to do so. That was the King's business. Each generation lived like the preceding one, and progress or improvement was impossible. This condition prevailed throughout the entire French period and for the most part through the Spanish period also. The American settler who came in during the latter part of the Spanish period was an exception to the rule.

**Spanish Period — Founding of St. Louis.** The expense of the colony in America caused the French government to try again

to make the colony self-supporting by granting a monopoly of the fur trade to a mercantile company of New Orleans. This company, Maxent, Laclede & Co., received their grant in 1762, and the next summer Laclede came up the river to Ste. Genevieve with merchandise to establish his trading post. He stored his goods for the winter at Ft. Chartres. During the winter he explored the west bank of the river carefully and selected the high ground on the west bank of the Mississippi a few miles below the mouth of the Missouri for his trading post. In February, 1764, he sent Auguste Chouteau, his step-son, with a band of laborers to erect a store house on this site. During the summer of 1764 he moved his goods and family to the new trading post, and St. Louis became the commercial center of the upper Mississippi valley. The commerce consisted chiefly of furs and the merchandise which the Frenchmen used in exchange, but agricultural and mineral products were added as the country was settled.

**First Rush of Emigrants to Missouri.** In 1763 the treaty of Paris brought the French and Indian War to a close. By this treaty France gave to England all her territory east of the Mississippi river. She also publicly recognized a previous secret treaty by which she had given to Spain all the territory west of the river. The settlers in the Mississippi valley had heard of the cession to England before they learned of the transfer of the territory on the west side of the river to Spain. Many of the French settlers on the east side moved to the west side to avoid coming under the rule of England. Even after the full text of the treaty became known, this movement continued, because the French settlers preferred to become Spanish subjects rather than English subjects. This caused St. Louis, which had become the seat of the French and later the Spanish government of the upper district, to grow quite rapidly for two or three years. After that the growth was very slow for ten or fifteen years. Practically no one came from France or Spain except the officials sent out by the government.

**The American Revolution.** During the American Revolution Virginia sent George Rogers Clark with a small force to drive the English out of the territory between the Ohio river and Canada. By this time France and Spain were both allies of the Colonies against the English. Clark aided in preventing the capture of St. Louis by the English, and captured Fort Chartres, Kaskaskia, and Vincennes, the chief places held by the English. By the terms of the Treaty of 1783, which closed the Revolutionary War, this Northwest Territory, as it was called, became a part of the United States. Before the adoption of the constitution the United States government was so weak that it could not enforce the law and protect life and property in this western territory. Many people who had property and desired protection moved to the Spanish territory west of the Mississippi, where the more efficient military government administered by Spain did preserve order and punish crime. The famous Ordinance of 1787 (see page 172) prohibited slavery in the Northwest Territory. This probably increased the movement across the river, as slave owners preferred to move rather than give up their slaves. These emigrants were chiefly French. The Americans, the people who were to make the great state of Missouri, had not yet begun to come in force.

**The American Migration.** The Spanish government was dissatisfied with the treaty of 1783. Spain had hoped to obtain the entire Mississippi valley and confine the United States to the eastern mountains and the Atlantic slope. Although the treaty had granted the free use of the Mississippi to the United States, the Spanish refused to allow the commerce of the Americans to pass New Orleans. The Spanish officials even plotted to get the American settlers west of the Appalachian mountains to secede and join Louisiana in order to secure the commercial privileges of the Mississippi. A deaf ear was turned to the repeated remonstrances of the United States government until 1795, when the Spanish government suddenly reversed its

entire American policy. The lower Mississippi was opened to the American commerce of the upper valley and at the same time provisions were made for granting large tracts of land to Americans who would settle in upper Louisiana. An American could obtain a title to 800 acres of the best land by simply living on it and making the necessary proof of residence. This change of policy and especially the liberal land grants seem to have been caused by a threatened war between England and Spain. The Spanish statesmen doubtless thought that the best defense for upper Louisiana against an English attack from Canada would be an army of American pioneer settlers defending their homes. The trouble between England and Spain was settled without war, but the liberal land grant policy of the Spanish government caused a third movement of settlers across the Mississippi from the western states to Upper Louisiana. This time the new settlers were Americans who spoke the English language and for the most part adhered to one of the Protestant churches. This movement continued throughout the remaining years of Spanish control.

**The Five Districts of Upper Louisiana.** By the end of the period (1804) the population was estimated to be 10,120 within the limits of the present state of Missouri. The people were divided as follows: Americans 5090, French 3760, and negro slaves 1270. There were five groups of population and each group was known as a district. The district of New Madrid was farthest south, having for its center the town of New Madrid. To the north was the district of Cape Girardeau, settled largely by Americans. The district of Ste. Genevieve, centered about the old French town of the same name, lay north of Cape Girardeau. Between the district of Ste. Genevieve and the Missouri river lay the district of St. Louis. The French trading village of St. Louis was the chief town of the district and the seat of government for Upper Louisiana. Finally all the territory lying between the Missouri and the Mississippi Rivers was called the district of St. Charles. The chief settle-

ment was the old French village of St. Charles. The greater part of the French inhabitants lived in the four towns of New Madrid, Ste. Genevieve, St. Louis, and St. Charles. The American settlers lived in the town of Cape Girardeau and were scattered over the frontiers of all the districts.

**Missouri becomes American Territory.** Napoleon Bonaparte compelled Spain to exchange Louisiana for some territory that he had conquered in Italy. Thus France, at that time the strongest nation of Europe, became the owner of Louisiana. Could Napoleon's ambitions have been realized, the history of Missouri would doubtless have been quite a different story. However, Napoleon soon saw that the war with England would be renewed, and, in order to put Louisiana beyond the possibility of English conquest, he sold the entire territory to the United States. (See pages 222-226.) Although the treaty of San Ildefonso, by which France acquired Louisiana from Spain, was made in 1800, the French had not taken formal possession of the territory, and the Spanish officers still ruled the country. The territory was formally handed over to the French by the Spanish officials on March 8, 1804. The next day it was again formally transferred by the French officials to the officers of the United States government. Thus ended the second period of Missouri's history.

#### QUESTIONS AND SUGGESTIONS

1. Describe the different soils in Missouri.
2. Who was the first white man to come to Missouri? When?
3. What nation was active in settling the Mississippi valley? Who attempted to found a settlement? Who succeeded?
4. Tell about the Mississippi Company.
5. Where and when was the first permanent settlement made within the present limits of Missouri? What kind of mines were discovered? Where?
6. When was the French Period of Settlement? Tell what was done.
7. Describe the founding of St. Louis in the Spanish Period of Settlement.
8. What territory was controlled by Spain? When did the Spanish Period begin and end?

9. Why did settlers move across the Mississippi to settle in Missouri?
10. Tell about the Spanish policy in America.
11. Why was the Louisiana territory transferred from Spain to France and to the United States? When?
12. How was the Louisiana territory divided? How was it governed?
13. How did the Westward Movement affect Missouri?
14. What were the chief vocations of the settlers?

#### TERRITORIAL PERIOD, 1804-1820

**Governors.** When the United States took possession of Louisiana, March 9, 1804, a military government was established with Major Stoddard as Lieutenant-Governor in charge of the upper part of the territory. Congress passed an act, March 26, 1804, by which Louisiana was divided into two parts: The territory of New Orleans, and the district of Louisiana. The dividing line was the parallel 33° north latitude, the present southern boundary line of Arkansas. By the same act the district of Louisiana was attached to the territory of Indiana, and Governor William Henry Harrison of Indiana succeeded Major Stoddard. This arrangement was very unsatisfactory to the people of the district, who wanted a territorial government of their own. Congress passed an act March 3, 1805, making the district of Louisiana a territory of the first, or lowest, class. General James Wilkinson was appointed governor and served two years. He was succeeded by Governor Meriwether Lewis of the famous Lewis and Clark expedition. (See page 265.) After Lewis's death in 1809, Benjamin Howard of Kentucky served until 1812 when he resigned to serve as a general in the war with England. William Clark, the other leader of the Lewis-Clark expedition, became governor and served until the organization of the state government in 1820.

**Government.** The territorial government was changed from a first to second class in 1812, and at the same time the name of the territory was changed from Louisiana to Missouri. The legislative power was vested in a General Assembly which consisted of a House of Representatives elected by the people and

a council of nine members chosen by the president from a list of eighteen persons nominated by the House of Representatives. This act also gave Missouri a delegate in Congress and authorized the formation of counties. In 1816 the territory was raised from the second class to the third class. This act made the council elective. On January 8, 1818, (Jackson day) the first petition asking for statehood was presented to Congress. Other petitions were presented later, but action by Congress was delayed for more than a year. Finally when the House was considering the Missouri enabling act, February 15, 1819, Tallmadge of New York introduced his famous amendment providing for the gradual abolition of slavery in Missouri. This precipitated the slavery struggle on the nation and kept Missouri out of the Union for more than two years. The contest was finally ended by the Missouri Compromise by which Missouri was admitted to the Union August 10, 1821.

In the meantime Missouri had adopted a constitution under the authority of the enabling act passed March 6, 1820. The constitution was drafted and adopted by a convention called for that purpose, and was put into operation immediately, without being submitted to the people. An election authorized by the constitution was called by David Barton, president of the convention. At this election, held August 28, 1820, a governor, representative to Congress, state senators and representatives, and county officials, were elected. The General Assembly met and the state government was formally organized September 18, 1820.

**Emigration and Population.** Missouri was the central goal toward which the great Westward Movement, described on pages 264 to 273, was directed. The natural highway to the west was down the Ohio, up the Mississippi, and then up the Missouri. The first great movement of people to Missouri came by this route from Kentucky and Tennessee, sometimes from Virginia and North Carolina. Thus the source of Missouri's population was chiefly southern. These emigrants brought with

them their property, including live stock and slaves. Their destination was usually the rich Boonslick country on the Missouri, or the rich land in the upper Mississippi valley. The magnitude of the movement is shown by the rapid increase in population. At the beginning of the territorial period, 1804, the population was about 10,000. In 1810 it was 20,000, and the census of 1820 shows 66,586, an increase of more than 56,000 in sixteen years. The number of organized counties had increased from five in 1812 to fifteen in 1820.

**Economic Life.** Many of the people who came to Missouri brought some money with them. All came to make homes, the first object being to secure land. Government land could be obtained by paying one fourth of the purchase price (\$2 an acre) down. The settlers brought live stock and all kinds of seeds, grafts, and cuttings for starting orchards and raising grain and vegetables. The famous Stark nurseries were started in 1816 by Judge James Stark, who carried on horseback from Bourbon County, Kentucky, the scions with which to start his nursery.

The great majority of the people were engaged in agriculture. Food was plentiful. Any amount of game could be obtained with little effort, and honey in abundance could be had by cutting bee trees. The fur trade and the mining industry developed rapidly. Missouri lead enabled Jackson to win the battle of New Orleans. The fur trade brought as high as \$200,000 a year into the territory. Two banks were established: the Bank of St. Louis in 1816, and the territorial bank of Missouri in 1817. Both banks issued more paper money than it was possible to redeem, and both failed in the financial crisis of 1819. These failures caused much loss to the people, and many Missourians became opposed to banks.

**The Beginnings of Social Organizations.** The social life of the people was very simple. Log rollings, house raisings, and husking bees were the chief social gatherings. Occasionally people had opportunity to go to church when some itinerant preacher came through the community. Courage and physical strength and

skill were as necessary among professional men, where differences of opinion were settled by the duel, as among the ignorant river men and miners, who settled their disputes by brutal fist fights.

The Catholic church was still the strongest church in the Territory, but Protestant churches of all the leading denominations were organized. Private schools were also started; provisions for a public school system in St. Louis were made in 1817. The first newspaper, the *Gazette*, now the *St. Louis Republic*, was founded in 1808. In 1820 there were five newspapers published in the territory.

#### PIONEER STATEHOOD: THE FIRST CONSTITUTION 1820-1845

**The State Government.** The state government was organized in September, 1820. Alexander McNair, the newly elected governor, took over the duties of his office; two Senators, David Barton and Thomas H. Benton, were elected and went to Washington; and people expected the state to be admitted immediately.

However, the Missouri Constitution contained a clause which required the General Assembly to pass a law to "prevent free negroes and mulattoes from coming to and settling within the state." Opponents of the admission of Missouri as a slave state objected to the state constitution on the grounds that this clause was in conflict with the Federal Constitution which guaranteed to "the citizens of each state the privileges and immunities of the citizens of the several states." Another long debate in Congress finally ended in a second compromise. By the terms of this arrangement Missouri was to be admitted by proclamation of the President when her General Assembly had passed a solemn public act repealing the clause concerning the exclusion of free negroes. The General Assembly passed the required act, and President Monroe issued the proclamation admitting the state August 10, 1821. Thus the local governments, both state and county, were organized and doing their work for ten months before the state was admitted to the Union.

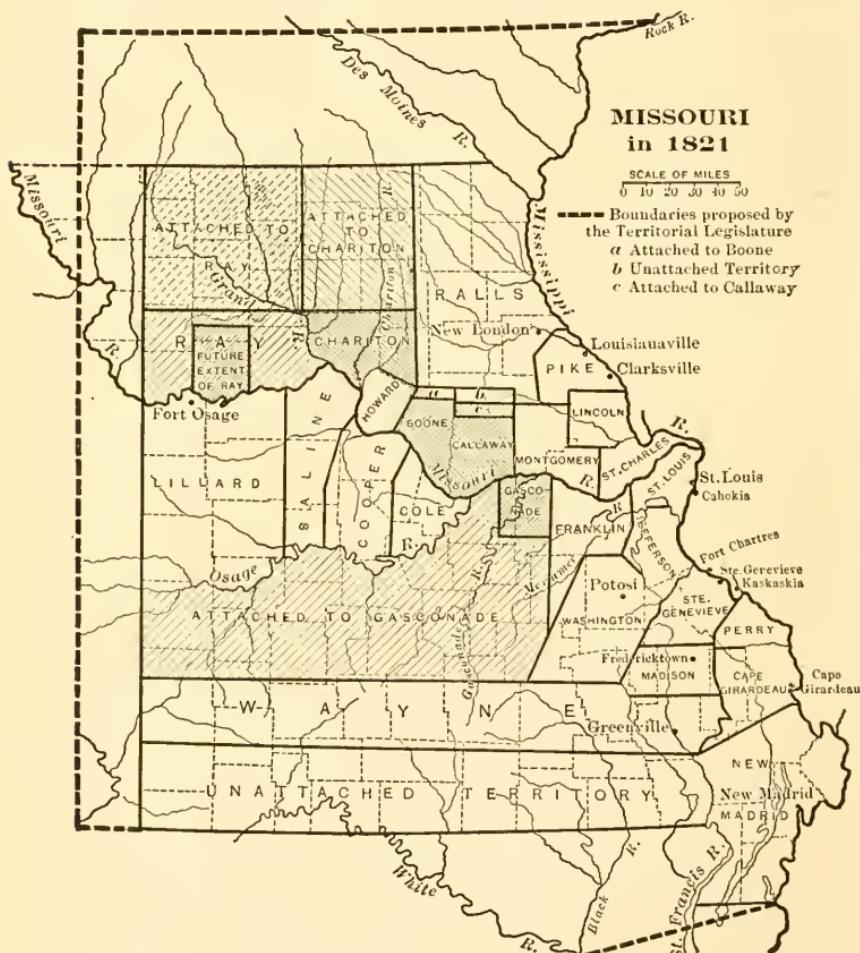
The constitution was framed, and the state government organized at St. Louis. But the constitution provided that St. Charles should be the temporary capital for six years, after which it should be located on the Missouri river within forty miles of the mouth of the Osage river. A capital commission was appointed which selected the present site of Jefferson City for the capital. A capitol building was erected and the seat of government moved from St. Charles to Jefferson City in 1826.

**Prosperity and Rapid Development.** The period from 1820 to 1845 was essentially a pioneer period. The life of the average Missourian was similar to life in the territorial period. Steam navigation opened up the world markets to Missouri, and surplus agricultural products could be sold at some profit. The people became more and more prosperous and were beginning to obtain many of the comforts and luxuries of civilization when the nation wide panic of 1837 ruined the markets. Men who had plenty of grain and stock could not raise money to meet their obligations. For the next six or seven years the papers were full of notices of bankruptcy.

Although the panic of 1837 brought hard times and caused many individual failures, it did not prevent the rapid development of the state. This development is indicated by the increase in population and the increase in the number of counties. The population in 1820 was 66,586. By 1830 it had more than doubled and was 140,455. Between 1830 and 1840 it doubled again and was 383,702 at the later date. In 1844 according to a state census the state contained 511,937 people. The increase in the number of counties was equally surprising. In 1820 there were fifteen counties. By 1845 the number had increased to ninety-six. (See maps, pages 16 and 17.)

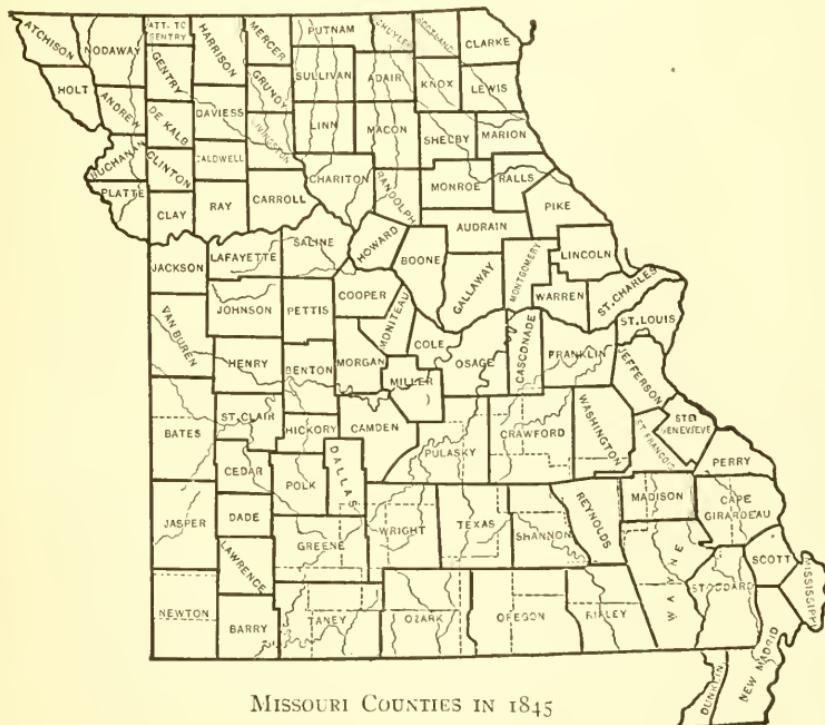
Along with the rapid increase in population and county organization, great progress was made in economic, political, and cultural life. Missouri continued to lead in the production of lead and furs, and the Sante Fé trade carried on across the plains brought into the state thousands of dollars of much

needed silver every year. Political parties became well organized during the period. Progress was made in the development of religious and fraternal institutions. Statewide organizations were perfected by the Catholics in 1826, the Presbyterians in



1832, the Baptists in 1834, the Episcopal church in 1840, the South Methodists in 1845. The Masonic Grand Lodge was organized in 1821 and the Odd Fellows in 1834. In education the beginnings were made. Many private academies were organized. Chief among these was St. Louis College, now St.

Louis University, in 1828. By 1850, five years after the close of the period, there were 204 academies in the state having an attendance of more than 8000 students. The constitution made provision for a system of public education. Legislation required to organize and put in operation an elementary public school system was provided in 1839, but the growth of the



MISSOURI COUNTIES IN 1845

system was slow. In 1839 legislation was passed providing for a state university. The University was located at Columbia in Boone County.

**The Platte Purchase.** The original western boundary of Missouri was a north-south line passing through the mouth of the Kaw river. This left an exceedingly rich body of land between the western boundary of the state and the Missouri River. In the early thirties the settlers became anxious to obtain these rich lands. They petitioned Congress to add this

section to the state. Although according to the Missouri Compromise this was free territory, Congress passed the necessary legislation and Missouri attained her full size in 1836.

**Benton and the Currency Question.** Probably the greatest statesman Missouri has produced is Thomas H. Benton.



THOMAS H. BENTON

Missouri's best known statesman. He was United States Senator for thirty years, 1820 to 1850.

Benton was elected to the Senate after a violent contest in 1820 and served continuously in that body for thirty years. He thoroughly studied all questions which came before the Senate, but he believed the currency question to be of more vital importance than any other. He had been a director in the Territorial Bank of Missouri when it failed in 1819. He had seen and felt the evil effects of an unsound currency. He was opposed to giving banks the power to issue paper money. He was

called "Old Bullion" because he fought the issue of paper money and thought all money should be hard money.

The constitution gave the General Assembly the power to charter one bank in the state. For twenty years after Missouri became a state Benton's will was law in Missouri politics, and for seventeen of those twenty years the Missouri General Assembly refused to exercise the power conferred upon it to charter a bank. Finally in 1837 the Bank of Missouri was chartered, but it was a bank largely after Benton's idea of what a bank should be. It could not issue notes of a denomina-

tion lower than ten dollars, and its charter was safeguarded so that it could not suspend specie payment. Benton's friends in the General Assembly, on his advice, attempted to prevent the circulation of paper money of small denomination by passing a law making the receiving or passing of such money criminal action. Although this law was finally passed in 1842, after having been pushed by the Benton men for four years, most of the penal clauses had been removed.

**The Constitution of 1845.** When the Missouri constitution was made in 1820, it doubtless represented fairly well the ideas of the people on the government of the state. There were, however, several clauses which soon became unpopular, and there was a demand for a new constitution. For example, all judges were appointed by the governor and served for life; and the constitution gave one bank a monopoly of the banking business of the state. Also, the constitution provided that every county should have at least one representative in the lower house of the General Assembly, but that the whole number of representatives should never exceed one hundred. In 1844 there were 96 counties. As it took 96 representatives to give these counties one each there were only four left to give the populous counties. This caused great inequality of representation.

To remedy these and other defects a constitutional convention was called in 1845. This convention wrote a new constitution, which was submitted to the people but was rejected by a majority of about 10,000. One of the chief objections to the new constitution was that it solved the problem of representation by creating legislative districts and did away with county representation. After the rejection of the new constitution, the old one was amended so as to remedy the defects mentioned above. Judges were made elective. The limitation on the number of representatives was removed. And the section on banking was changed so that the General Assembly could charter as many state banks as the people desired.

**CONFLICT AND VIOLENCE: THE AMENDED CONSTITUTION,  
1845-1865**

**The Passing of Benton.** In 1846 the Wilmot Proviso made the exclusion of slavery from the territories the paramount political question of the day. (See pages 311, 315, and 317.) Calhoun and the extreme South declared such restriction unconstitutional. The Missouri General Assembly in 1847 instructed the Missouri Senators and requested the Missouri Representatives to work for the extension of the Missouri Compromise to the Pacific. This instruction was to Benton's liking. In 1849 the General Assembly passed the Jackson Resolutions, named for C. F. Jackson, chairman of the Senate committee which reported them. These resolutions took the position advocated by Calhoun, that Congress had no power to prohibit slavery in the territories. They also instructed the Senators and requested the Representatives to vote according to their principles. The resolutions had been pushed through the General Assembly by men who had opposed Benton on other issues in 1844, and were clearly intended to force Benton into a fight for his seat in the Senate.

Benton declared the resolutions to be the result of a plot against him, that their purpose was not understood by most of the men who voted for them, and that they did not represent the sentiment of the state. He appealed to the people in the most vindictive and violent campaign in the history of the state. The Democratic party was divided into Benton and anti-Benton factions and finally the anti-Benton Democrats went over to the Whigs and elected Henry S. Geyer to succeed Benton. This did not end the contest. Four years later when the term of Senator Atchison, who had been an original anti-Benton man, expired, Benton entered the race against him. Another vindictive campaign followed, and the party was again divided. Neither faction secured a majority and as neither would go over to the Whigs, no Senator was elected, and Missouri had only one Senator from 1854 to 1856. Finally Benton ran for Governor in 1856. He

made a vigorous statewide campaign, but for the first time ran third in the race. This ended his efforts in politics. He retired to his home in Washington and spent the remainder of his life in literary work. He died in 1858 at the age of 76.

**Railroad Construction.** The agitation for the construction of railroads in Missouri was begun in 1836. A convention was held in St. Louis. The legislature was asked to charter a number of lines and aid in their construction. The legislature readily chartered the desired lines, but refused to grant any aid. Many of the legislatures of other western states did grant aid to railroads at this time. John F. Darby, a Whig senator from St. Louis, declared in his "Personal Recollections" that Thomas H. Benton was to blame, as he advised against it. At any rate Missouri escaped the fate of other western states. Most of them voted bonds for railroads about this time and acquired a large indebtedness without getting any railroads.

The agitation was renewed in 1850. This time the state did adopt the policy of aiding the construction of railroads. Between 1850 and 1860 the state guaranteed railroad bonds to the amount of \$24,950,000. During this period 715 miles of railroad were constructed. The Hannibal & St. Joe was completed, the Missouri Pacific was built from St. Louis to Sedalia, and the St. Louis and Iron Mountain was built as far as Pilot Knob. The Civil War stopped railroad construction. The roads failed to keep their interest paid, and the state was compelled to take the roads for the debt. The original debt with interest amounted to more than \$30,000,000. The state sold the roads for a comparatively small sum. After this transaction, private individuals owned the roads and the state owed the construction bills.

**Repeal of the Missouri Compromise and Border Warfare.** The Repeal of the Missouri Compromise, described on pages 320 to 329, transferred the slavery conflict from Congress to Kansas and made Missouri the champion of the South in the struggle. The tide of emigration coming into Missouri had

pushed up the Missouri river to the western border of the state. There the westward movement, checked by the United States government, for the land to the west was unorganized and not open to settlers, had spread out over four or five counties on either side of the river. Some of these counties were the most populous counties of the state. The great majority of the

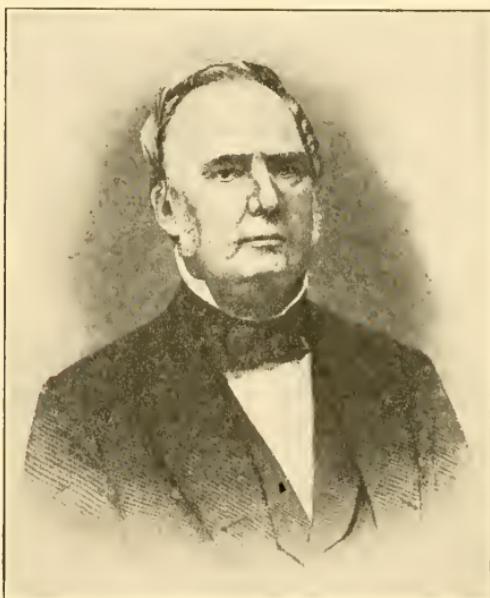
people were of Southern birth or parentage, and many of them owned slaves. These men believed that they had a better right to the rich lands just across the border than the inhabitants of Massachusetts. When the settlers from the North began coming to Kansas in great numbers, many of them sent out by the Emigrant Aid Society, the Missourians became alarmed. They feared Kansas would be voted free by these emigrants, and that would forever prevent them from moving to the new state

STERLING PRICE

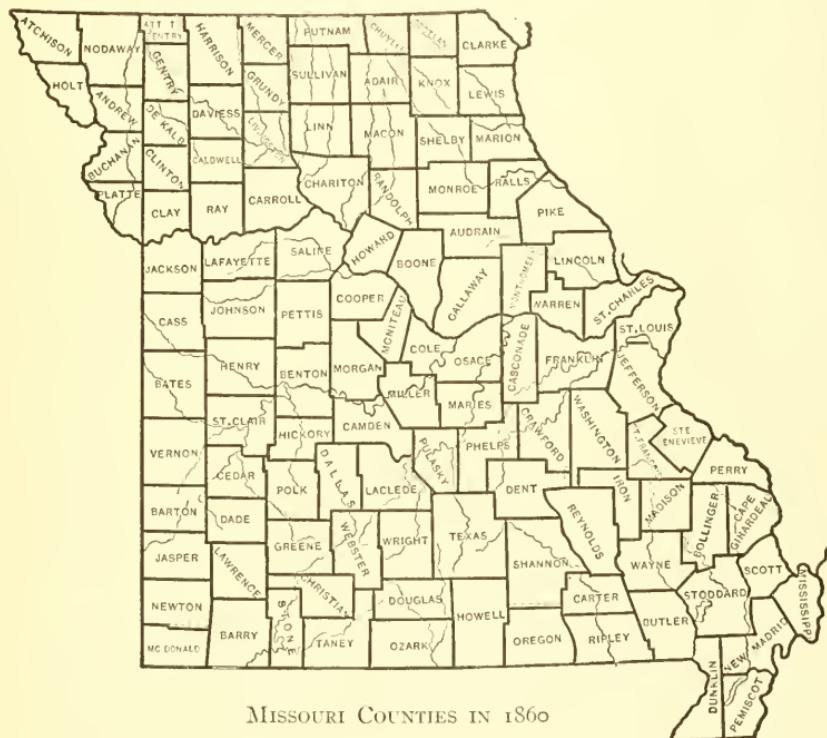
General in the Mexican War and Governor of Missouri from 1852 to 1856. He was famous also as the leader of Missouri troops in the Confederate Army.

with their slaves. Blue Lodges were organized all over the western part of the state. Members of these organizations followed their leaders, David R. Atchison and B. F. Stringfellow, into Kansas and voted at the elections.

After a time the free state men and the Missourians came to blows. Border raids and warfare became common and lasted well into the Civil War. Missouri suffered from these border raids more than Kansas, because she had more to lose. The western



counties had been settled for twenty or thirty years, and the people had much more property than the newcomers in Kansas. In 1863 General Ewing, commander of the western district of Missouri, issued his famous General Order No. 11. This order required all the inhabitants to move from the border counties of Jackson, Cass, Bates and Vernon, except those living in the



larger towns. In a short time the prairie fires made these counties a complete wilderness, and they remained so until after the close of the war. The order put an end to Border warfare, but was even more destructive than the raids had been.

**The Election of 1860.** The question of slavery was becoming more and more the dominant question in national politics and at times became the chief issue in state contests. The Benton-Jackson contest was an example of this kind. Again

in 1860 the slavery issue overshadowed every other in Missouri as in the nation. (See page 329.) There were three possible positions—the extreme southern, the moderate, and the extreme northern. Unfortunately the moderate party was usually divided. Thus the Benton Democrats and the Whigs in the contest of 1849 were agreed on the slavery question, both taking the moderate viewpoint. But C. F. Jackson, at the head of a determined minority, was able to retire Benton. In the election of 1860 there was a similar division of the people who favored moderation. Douglas was supported by the moderate Democrats, and Bell was supported by those who had formerly been Whigs. The uncompromising advocate of slavery extension voted for Breckinridge, and the uncompromising anti-slavery man voted for Lincoln. The vote in Missouri for Douglas was 58,801; for Bell 58,372; for Breckinridge 31,317; and for Lincoln 17,028. To get the real sentiment of Missouri on the slavery question, the vote of Douglas and Bell should be added. This would give the moderate element 117,173 votes, more than twice the strength of the other two parties combined. The same sentiment was clearly expressed in the election of members of the convention in February, 1861, when about three fourths of the voters favored the Union candidates and the total majority for the Union was 80,000.

**The Convention.** Governor C. F. Jackson, who had been elected on the Douglas ticket, but who favored secession, recommended that the General Assembly call a convention to consider the relations between the United States and the State of Missouri. The General Assembly passed the act calling the convention January 18, 1861. The Convention was composed largely of Union men and met in Jefferson City February 28, organized, and adjourned to meet in St. Louis March 4. Here the Convention adopted a resolution which declared that, "The true position for Missouri to assume is that of a state whose interests are bound up in the maintenance of the Union, and whose kind feelings and strong sympathies are with the

people of the Southern States." This expresses well the attitude of Missouri. The Convention then provided for an executive committee with power to call the Convention together again, should occasion for such action arise, and adjourned.

Later in the year, after Governor Jackson, who had espoused the cause of the South, had been driven from the state by the Union forces under General Lyon, this executive committee called the convention together. That body assumed the responsibility for the government of the state and provided a provisional government with Hamilton R. Gamble for governor. This provisional government ruled the state until the people elected a governor and state officers at the general election in 1864. Governor Gamble and a majority of the members of the Convention were conservative Union men. They represented the great moderate element in Missouri. The Convention passed a resolution requiring all officials to take an oath of loyalty to the United States and to the provisional government of the state. Those who refused to do so were replaced by loyal men. An oath of loyalty was also required of all voters. Governor Gamble organized a state militia and assumed the task of keeping order in the state. This relieved the people of the necessity of living under martial law administered by the Federal army.

**The Problem of the Emancipation of Slaves.** The great question in Missouri politics was the problem of emancipation of the slaves. President Lincoln's proclamation had not interfered with slavery in the border states that had not left the Union. In Missouri slaves could escape, and there was no authority to force them to return to their masters. The sentiment for legal abolition of slavery grew rapidly. But the moderates, Governor Gamble, and a majority of the Convention, favored gradual emancipation, while the Radicals desired immediate emancipation. A large majority of the General Assembly, elected in 1862, favored emancipation but the members were divided, some being for gradual and some for imme-

diate emancipation. At any rate the General Assembly did not have the power to abolish slavery, as that required a constitutional amendment. Governor Gamble concluded that the Convention, as it represented the people in a more fundamental way than the General Assembly, did have such power, and he called it together in 1863 and recommended that it pass a gradual emancipation act. The Convention passed such an act and adjourned *sine die* on July 1, 1863.

The Radicals, however, were not satisfied and advocated a constitutional convention to abolish slavery. The radical sentiment in the state grew very fast, and the Radicals elected the Governor and a large majority of the members of the General Assembly in 1864. At the same election the people voted to hold a constitutional convention. The Radicals elected a large majority of the delegates to the constitutional convention, which met in St. Louis January 6, 1865. One of its first acts was to pass a resolution providing for the immediate abolition of slavery.

#### QUESTIONS AND SUGGESTIONS

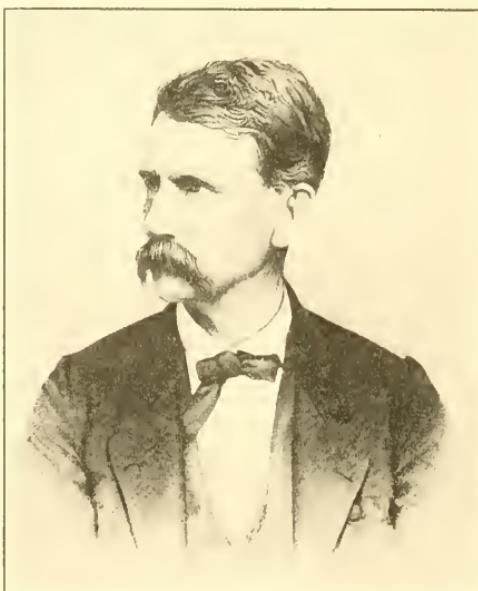
1. When was the state government of Missouri organized?
2. What were the terms of admission of the state to the Union?
3. What was the Platte Purchase?
4. Who was "Old Bullion"? Tell about him.
5. What were some of the provisions of the Constitution of 1845?
6. What can you tell about the repeal of the Missouri Compromise and border warfare?
7. What was the chief issue in the Election of 1860? What was the real sentiment of the state in Missouri?
8. What position did the state finally take in the question of Slavery?

#### THE PERIOD OF RECONSTRUCTION—THE DRAKE CONSTITUTION, 1865-1875

**The Drake Constitution.** Although the constitutional convention of 1865 had been called for the purpose of amending the constitution, its members decided that it had authority to submit a new constitution to the voters of the state. The Con-

vention drew up a much more modern constitution than the constitution of 1820. Its provisions concerning education, corporations, and the general organization of the government were excellent. But the good points of the constitution were so completely overshadowed by the test oath required of voters and professional men, that the very name Drake Constitution became so odious to Missourians that it was replaced by another constitution in 1875 in spite of the fact that the test oath had been abolished by amendment.

The Convention was dominated by the Radicals, and it was their intention to keep the government of the state entirely in their hands. To do this the test oath was made so strict that no one could take it except those who had at all times been unconditional Union men and even some of these were barred. Those who could not take the oath were barred from voting, holding office, teaching, preaching, and the practice of law. The convention provided that no one could vote on the adoption of the constitution except those who could take the oath in the constitution. Even then it was adopted by a very small majority. The vote for the constitution was 43,670 and the vote against it was 41,808. Once adopted, this constitution served to keep the radical Republican party in power until 1870. All of the moderate party of 1862 and many of the unconditional



FRANK P. BLAIR

A prominent Union man and friend of President Lincoln. He was largely responsible for saving the Union in 1861.

Union men, among them Frank P. Blair and John S. Phelps, were bitterly opposed to the Drake Constitution on account of the test oath. These men united in reorganizing the Democratic party in 1865. But at that time there was no chance of success for the Democratic party either in the state or nation.

**The Rise of the Liberal Republican Party.** Two factions soon appeared in the Republican party. As early as 1866 many Republicans believed that the harsh test oath should be abolished as soon as possible. These were called Liberals. The faction which defended the test oath was called Radical. Both factions believed that the Democratic party, if in power in the state, would pass laws for the control of negroes that would practically reenslave the negro while leaving him free in name. The Liberals advocated repealing the test oath and giving the negro the right of suffrage so that he could protect himself. The Radicals believed in negro suffrage, but also believed in the test oath. The common purpose of granting the negroes the right of suffrage served for a few years to keep the two factions together. In 1868 they elected Joseph W. McClurg, a Radical, for governor. The next year Congress submitted the Fifteenth Amendment to the National Constitution which made the negroes legal voters. The Liberal faction of the Republican party in Missouri now declared that there was no longer any need for the test oath and began to favor a general amnesty for all who were willing to take an oath of allegiance.

In 1870 there was a vigorous contest between the Liberals and the Radicals for the control of the Republican State Convention. The test of strength came on the adoption of the resolution for the reenfranchisement of those who had taken part in the late Rebellion. The Liberals controlled the resolutions committee, and the majority report declared in favor of a constitutional amendment providing for the removal of political disabilities. A minority report made by the Radical members of the committee declared in favor of reenfranchising those who had taken part in the late Rebellion as soon as it could

be done with safety to the state, and favored the submission of the question of a general amnesty to the people. The minority report was adopted, ayes 349, noes 342. Immediately Carl Schurz, followed by 250 delegates, withdrew from the convention and nominated a Liberal Republican ticket with B. Gratz Brown for governor. The Radicals nominated Governor McClurg. The Democrats made no nominations for state officers, but supported the Liberal Republican ticket. Brown was elected by a majority of 41,038. The system of test oaths for voters, office-holders, and professional men, was swept away by constitutional amendments, which were adopted by popular majorities ranging from 105,000 to 130,000.

**Missouri again a Leader in a National Movement.** The question of a general amnesty was not only a state, but also a national question, and the rise of the Liberal Republican party in Missouri was closely watched by political leaders in all parts of the nation. The success of the Liberals in 1870 in electing Brown governor, gave rise to a national movement of the same kind. In 1872 a National Liberal Republican Convention was called, and Horace Greeley of New York nominated for President with B. Gratz Brown of Missouri for Vice President. This ticket was endorsed by the National Democratic Convention. The Liberal Republicans failed to get control of the national government, but such was the sentiment created that four years later President Hayes, a Republican, withdrew the Federal soldiers from the South and left the affairs of each state in the hands of its inhabitants. This was what the Liberals had demanded.

**Railroads and Indebtedness.** Railroad construction had been stopped by the Civil War. As soon as peace was restored, work was pushed on the lines that had been partly constructed before the War. The Missouri Pacific was completed to Kansas City in 1865, construction was resumed on the Iron Mountain, the Southwest Branch (now the Frisco), and the Wabash. In addition to these lines that had been started before the War

other companies were formed. Many of the new companies, however, were organized for the purpose of defrauding the people instead of building railroads. Bonds were voted by many counties, cities, and townships. Some roads were built, but in many cases the grading was begun, the bonds sold, and the work stopped. The people owed the debt but had no railroads. The courts upheld the legality of these bonds, and the people were compelled to pay them or defy the Federal courts. Most of the counties paid the fraudulent bonds, but some did not, and in such counties a huge debt still hangs over the people.



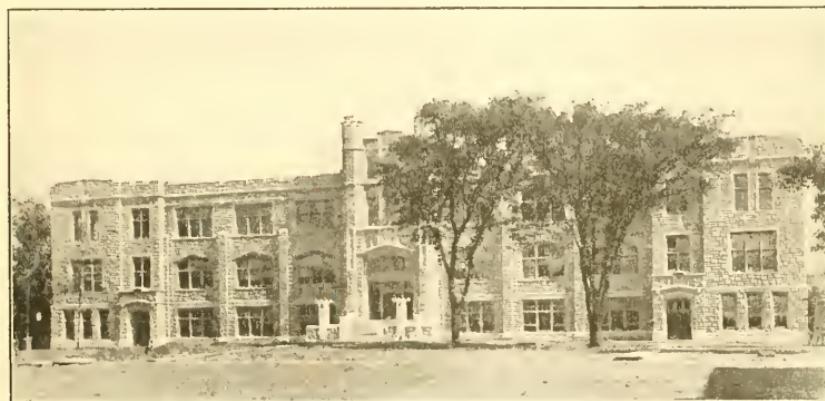
KIRKSVILLE NORMAL SCHOOL, FIRST DISTRICT ESTABLISHED IN 1871

It has been estimated that fraudulent bonds to the amount of \$15,000,000 were in this way fastened upon the people of the state.

The state debt, which was approximately \$36,000,000 at the close of the War was reduced very rapidly, and by 1869 was only \$21,500,000. About \$6,000,000 of this reduction was accomplished by selling the railroads which had failed to pay their bonds and had become the property of the state. The rate of taxation was high. With a population of about one and one half million and an assessed valuation of about five hundred million, the state of Missouri raised more money by direct taxation in 1867 than it did in 1910, with a population of nearly

three and one half million and an assessed valuation of more than one and one-half billion, which represented a real value estimated to be more than six billion.

**Education.** During the Civil War the school system broke down, as there were no funds available. The school fund, amounting to \$578,967.96, was invested in bank stock and was paying no dividends. After the War the General Assembly adopted the policy of appropriating one fourth of the revenues to the public schools. In March, 1867, \$1,500,000 was set aside out of money paid to the state by the United States gov-



NEW ADMINISTRATION BUILDING, STATE NORMAL SCHOOL, WARRENSBURG

ernment as a permanent school fund. Two years later \$900,000 was added to the fund. By January, 1875, the school fund amounted to \$2,625,334 most of which was invested in United States 6% bonds and Missouri 6% bonds.

Besides the liberal provisions made for elementary schools, this period is also noted for the provisions made for Normal Schools. The Kirksville and Warrensburg Normal Schools were provided for in 1870, and the Cape Girardeau Normal School was established in 1873.

**The Constitutional Convention of 1875.** The test oaths of the Drake Constitution were so unpopular that both the Democratic and Liberal Republican parties promised in their plat-

forms to call a constitutional convention. The objectionable features of the Drake Constitution had been wiped out by the six amendments adopted in 1870. Still, the Democratic party, which obtained possession of the state government in 1872, submitted the question of a constitutional convention to the people in 1874. The resolution providing for the calling of a convention was adopted by the small majority of 283 in a total vote of 222,315. In the election of delegates the Democrats secured sixty, the Republicans six, and the Liberal Republicans two members in the convention. This meant that the new constitution was to be framed by the men who had suffered most under the Drake Constitution. They were determined to prevent a repetition of the abuses of the reconstruction period.

#### REACTION AND INDIVIDUALISM—THE CONSTITUTION OF 1875

**The Present Constitution.** The constitution written by the convention of 1875, under which Missouri is still governed, has at least three distinctive features. *First*, it has one of the most extensive bill of rights ever written into a constitution. The constitutional checks on courts were intended to prevent for all future time the arbitrary rulings by courts which had so often marked reconstruction judicial proceedings during the preceding period. These restrictions and checks, however, have resulted many times in the defeat of justice through delay, and it is now practically impossible for our Supreme Court to keep its docket up to date. *Second*, the abuse of the taxing power by the various local governments (school districts, townships, cities, and counties) had involved communities in such heavy debts (often fraudulent) that the convention placed very drastic limitations upon the taxing and bonding power of all local governments from the school district to the state, inclusive. This was before the day of electric railways, electric lights, and telephones, and municipal ownership of public utilities was not a question to be considered because there were few public utilities. Many people think that the drastic limita-

tions on the bonding and taxing power of our cities and school districts have hindered their development and have made very difficult the task of public education. *Third*, the conservative nature of our constitution is indicated by its similarity to the constitution of 1820. A great many sections are copied word for word from the first constitution, and a great many others have only such changes as were made necessary by the results of the War.

**Missouri Politics Since 1875.** The causes which made the Democratic party victorious in 1872 kept it victorious by safe majorities until 1904, except in the election of 1894 when the Republicans elected the State Superintendent of Public Schools. During this period the issues were usually those that had grown out of the Civil War. Men turned their eyes to the past rather than to the present or to the future. During the later part of the period new issues began to become important. Free silver found its greatest champion in Richard P. Bland, Congressman from Missouri for a quarter of a century. The Populists, with their platform for free silver and governmental regulation of railroads and corporations, began to make formidable inroads upon both old parties. The dissatisfied elements were temporarily united with the Democratic party in 1896 on the free silver issue, and Bryan carried the state by more than fifty thousand. Eight years later the Missouri voter showed his independence by giving Roosevelt, the Republican candidate for President, a majority of 25,137 and Folk, the Democratic candidate for Governor, a majority of 30,100. From 1904 until the split in the Republican party in 1912, Missouri was a doubtful state.

During this period Missouri has produced many men who have won a national reputation. Probably two of the best known and most admired of these Missourians are Richard P. Bland, the apostle of free silver from 1873 until his death in 1900, and Senator F. M. Cockrell, for thirty years one of the most conscientious and hardworking members of the United

States Senate. Senator Cockrell was elected to the United States Senate in the Benton line of senators in 1876. Like that distinguished Missourian, he served in the Senate for thirty years and was considered an authority in that body on any question requiring general information.



FRANCIS M. COCKRELL

The second United States Senator from Missouri to serve thirty years. He was retired by the Republican landslide of 1904.

In the last few years there has been a marked tendency toward municipal ownership of public utilities, but there is little chance for much real progress in that direction so long as the state has its present constitution. In 1913 the General Assembly created a Public Utilities Commission and gave it drastic powers for regulating the activities of these corporations.

**State Finances.** The indebtedness of the state, which was about \$30,000,000 in 1865, had been reduced to about \$15,000,-

**Individualistic Progress.** The present period has been one marked by the rapid progress of individuals. Great fortunes have been amassed rapidly. Missouri now has many wealthy men, and corporations have flourished. The constitutional limitations on the taxing and bonding power of cities have made it difficult for them to provide their own water works, lighting plants, and street car lines. Corporations have supplied these modern necessities, and in doing so have made millions of dollars in profits for their stockholders. In

000 in 1875. This indebtedness was gradually reduced until 1902, when the remaining debt consisted of state bonds held by the State Board of Education as school and seminary funds bearing 6% interest. By a constitutional amendment these bonds were converted into certificates of indebtedness which could not be paid, but continue to bear interest indefinitely. The result of this arrangement was the immediate reduction of the state interest tax from about \$1,000,000 to about \$250,000, which was all that was needed to pay the interest on the certificates of indebtedness. The payment of the principal, it was claimed, was not desirable as any other investment that could have been made at the time would have reduced the annual sum available for educational purposes by more than \$100,000.

As modern life becomes more and more coöperative, its activities must be more and more supervised by state officials and commissions, if not carried on by state institutions. This increase in state responsibilities has necessitated increased state expenditures for education, care of the unfortunate, sanitation and prevention of disease, regulation of business, inspection, etc., until it became more and more difficult to make the revenue possible under the constitutional limitation of fifteen cents on the hundred dollars assessed valuation, meet the necessary expenditures. The assessed valuation in 1875 was \$556,444,456. This gradually increased until in 1914 it was \$1,622,332,838. For many years people generally have recognized that the actual property valuation of the state has increased much faster than the assessed valuation. Governor Hadley (1908-12) proposed several new methods of taxation, such as corporation taxes, inheritance tax, etc.; but the majority of the General Assembly did not belong to the political party to which Mr. Hadley belonged and little was accomplished. Mr. Hadley also tried to get uniform action of county assessors in raising the assessed valuation to the actual valuation. He failed in this also. During the next four years the lack of sufficient revenue became

more and more apparent, until the state was about \$2,000,000 in debt at the end of 1916.

Governor Gardner began his administration January 1, 1916, with the purpose of solving the financial difficulties of the state. He recommended a number of revenue measures to the General Assembly. Most of these were passed and are now producing added revenue. He also recommended a law providing a tax commission with adequate powers. This commission tried to secure the assessment of property at about its actual value. As a result the assessed valuation was more than doubled. The Board of Equalization, however, reduced this valuation to about the former assessed valuation. The question of taxation remains one of the most important problems which the state government has to solve.

**Education.** The constitution of 1875 contained liberal provisions for education. At that time the schools of the state had not recovered from the effects of the Civil War. Very few of the teachers had received any special training, as the three Normal Schools had just been established, and had scarcely commenced to prepare teachers. The length of the school term was usually only three or four months. Although each county had a school commissioner, his activities were confined to granting certificates to teach and making statistical reports. He received no salary and but few fees. The early part of the period, therefore, was one of agitation for better teachers and better school organization. State Superintendents R. D. Shannon, 1875-1882, and W. E. Coleman, 1882-1890, rendered valuable service in this work. The standard for teachers was gradually raised, teachers were compelled to attend County Institutes, approved summer schools were established, and public high schools were provided by the Boards of Education in many cities. A system of state inspection and approval for high schools has raised the standard of work done and increased the number of high schools until in 1916 there were 535.

The office of County School Commissioner was changed to

County Superintendent, and now a trained educator in each county devotes his entire time to the supervision of the schools. Provisions have been made for consolidated rural high schools and many such schools have been established. Rural schools are inspected by a state official and, if they meet certain standards, given approval. Probably the greatest piece of constructive work for the betterment of rural education ever undertaken in the state is now (1918) nearing completion. It is an exhaustive rural school survey by the leading educators of the state, directed by the State Superintendent of Schools. The interest in higher education has grown, until the annual enrollment (1916) has reached about 4000 in the State University and about 8000 in the five Normal Schools.

#### QUESTIONS AND SUGGESTIONS

1. Tell about the Drake Constitution. Who could vote in the Convention which adopted it? How long was this constitution in force?
2. When was the present constitution adopted? What provisions were made in it?

#### HOW THE STATE IS GOVERNED

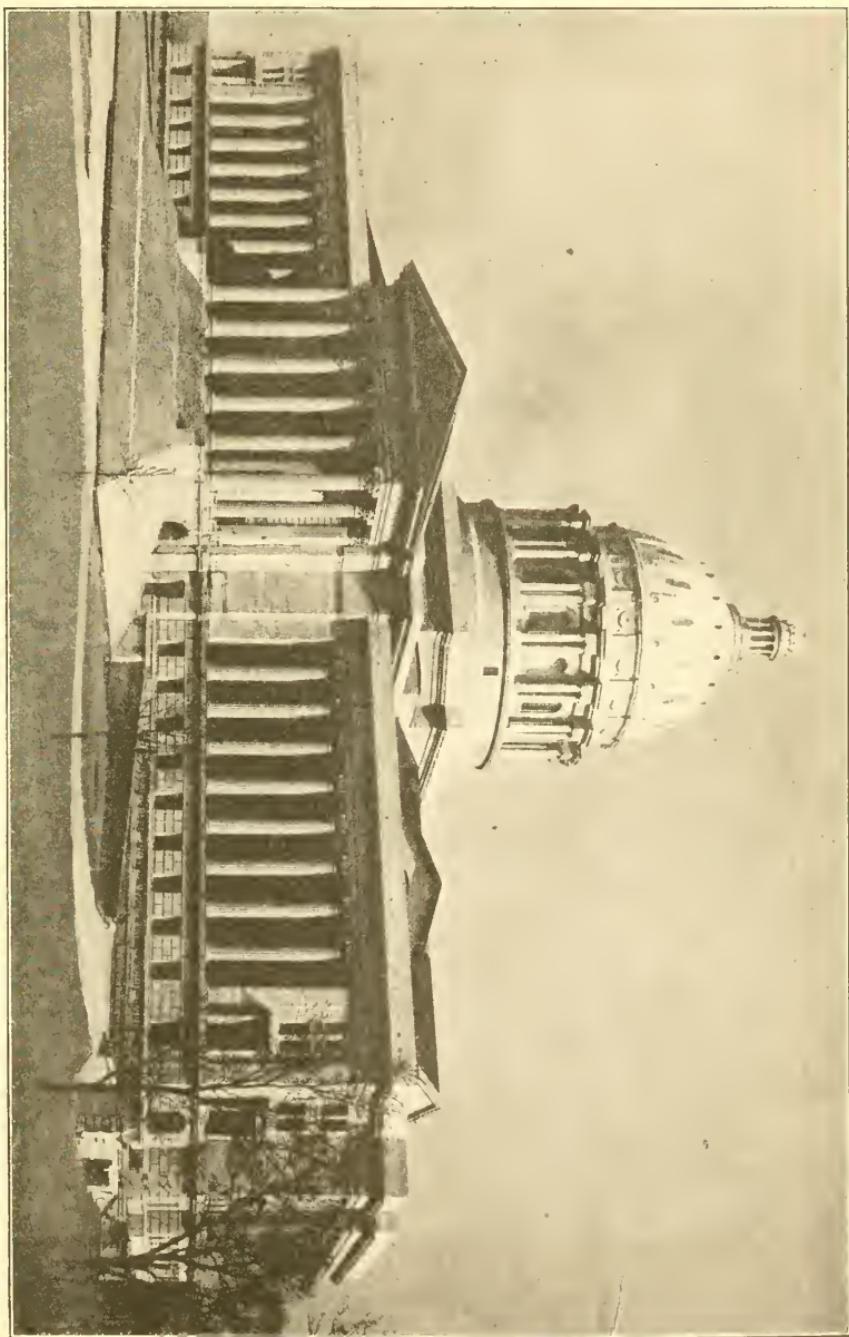
**Powers of the State.** As America was settled, a number of governments known as colonial governments were organized. The Declaration of Independence declared, "These united colonies are, and of right ought to be, free and independent states." When the United States Constitution was adopted these states gave up certain powers, such as the power to declare war, make peace, coin money, to the United States government. All powers, however, not delegated by the United States Constitution to the United States government or prohibited to the states, belong to the state. Thus the state government touches the citizens in a great many ways. As we learn more and more to coöperate, we are continually finding many things that we can do together as groups better than we can do them as individuals. The state government is the agency that pro-

vides for, controls, and regulates all this group activity. In performing this function, the state creates counties, townships, cities, villages, school districts, and many private corporations.

**The Constitution.** Missouri has had three constitutions. The present constitution was adopted in 1875 at the close of the reconstruction period. The convention which framed the constitution was composed almost entirely of the men who had belonged to the minority party during the reconstruction period. They were determined to prevent for the future the high taxes, abuse of the bonding power, and tyranny of the courts, all of which had been prominent features of the days of reconstruction. They therefore placed drastic limitations on the taxing power of the states and all its local subdivisions, required a two-thirds' vote to legalize any bond issue, and adopted an extensive and detailed bill of rights. The constitution, like that of the United States, provides for an executive, a legislative, and a judicial branch of government.

**The Executive Department.** The Governor is the chief executive of the state. He must be at least thirty-five years of age, a citizen of the United States for ten years, and a resident of the state for seven years. He is elected for a term of four years, receives a salary of \$5,000 a year, and cannot be reëlected to succeed himself. He advises the legislature, has the power to call extra sessions, and can veto any bill. The influence of the governor on legislative action is becoming more and more marked. The governor also has power to reprieve, commute sentences, or pardon persons convicted of a crime by the state courts. The governor is commander-in-chief of the militia, and his chief duty is to execute the laws of the state.

In the duty of executing the law, he is aided by a Secretary of State, who keeps the records of the General Assembly and a record of the official acts of the governor; the State Auditor, who keeps the accounts of the state; a State Treasurer, who keeps and pays out the money of the state; an Attorney General, who is the legal adviser of the state officials and represents the



Missouri's NEW CAPITOL

Dedicated in 1918.

state in important cases in the courts; and a Superintendent of Public Schools, who has general supervision of the schools of the state. Each of these officers receives a salary of \$3,000 a year, and each is allowed a number of assistants and clerks.

**The General Assembly.** The General Assembly is composed of two houses: the Senate and House of Representatives. The Senate has thirty-four members, elected from political divisions of the state, usually containing several counties, and known as senatorial districts. A state senator must be a citizen and a voter, thirty years of age, a resident for one year in the district, and must have paid a state and county tax during the year preceding his election. The House of Representatives contains 142 members. Each county has at least one representative. The apportionment of representatives is arranged so that the country population has about twice the representation that the city population has. Thus the country districts have on the average one representative to each 20,000 inhabitants, while the city population has on the average one representative to each 40,000 inhabitants. A representative must be a citizen and a voter, twenty-four years of age, and a resident taxpayer the year preceding his election. The pay of a senator or representative is five dollars a day for seventy days, except the revising session, which occurs once in ten years, when he may receive five dollars a day for one hundred and twenty days. After the time limit expires he receives one dollar a day for the remainder of the session. The General Assembly is the lawmaking body of the state. It meets on Wednesday after the first Monday in January each odd numbered year.

**The State Courts.** There are four general trial courts in the state of Missouri: the court of the justice of the peace, circuit courts, courts of appeal, and the supreme court. In addition there are probate courts and city police courts, which have special duties, and several others of limited importance.

The court of the justice of the peace is the lowest court. There are two in each township. Thus a court is always close, and

disputes may be settled quickly. In each township a constable is elected who carries out the orders and decisions of the Justice of the Peace. Appeals may be taken to a higher court in important cases.

The circuit courts are the great trial courts of the state. There are usually two or more counties in a circuit. There are 38 circuits in the state at present. A judge is elected in each circuit for a term of six years. At least two, usually three, terms of court are held in each county annually. In each county there is a circuit clerk who keeps the records of the circuit court. The sheriff carries out the orders and decisions of the circuit court.

There are three courts of appeal, and the state is divided into three districts. The courts are named after the cities in which court is held, the Kansas City, St. Louis, and Springfield courts of appeal. Cases appealed from the circuit courts usually go to one of these courts of appeal. Each court has three judges elected for a term of twelve years.

The supreme court of the state holds its sessions at Jefferson City. It consists of seven judges elected for a term of ten years. The court is divided into two divisions and each division tries certain classes of cases, but certain important cases come before the whole court. The salary of a judge of the Supreme Court is \$7,500 a year.

**State Boards and Commissions.** As the state has increased in population, and modern methods of doing things have compelled it to take over the control, regulation, and guidance of many activities, a great many State Boards and Commissions have been created to aid in governing the state. In some of these boards, like the State Board of Agriculture, the members serve without pay and employ a secretary and other officials to do the work which the Board carries on. Others, like the Public Service Commission, give all their time to the work carried on by the Board and receive a salary. The work of the State Board of Health is carried on by a secretary assisted by a

statistician and several clerks. This board keeps a record of all births and deaths in the state. It also conducts a laboratory where bacteriological examinations pertaining to the public health are made free of charge.

The Public Service Commission is one of the most important of these administrative bodies. It is composed of five members appointed by the governor for a term of six years. Each member receives a salary of \$5,500 a year. The employees of the commission are required to be experts, having both technical and practical experience. The commission has extensive powers over all public service corporations, such as railway, telegraph, telephone, water, light, and gas companies. The intelligent exercise of these powers requires a vast amount of work in collecting and handling statistics. The commission maintains a general office and several departments. Its payroll for 1917, including the salaries of the members of the commission, was \$95,600.

**State Institutions.** The state does much of its work through its various institutions. There are twenty-four of these, each governed by a board appointed by the governor. They may be grouped into four classes determined by the work they do, first, educational institutions, as the State University or State Schools; second, eleemosynary institutions, as the School for the Blind or the Hospitals for the Insane; third, the penal institutions, as the Penitentiary and Reform schools; and fourth, agricultural institutions, as the State Fair or the Fruit Experiment station.

**Education.** The state spends more money, employs more workers, and reaches more people through its educational work than through any other activity. The educational work is under the direction of the State Superintendent of Public Schools. The schools are of three kinds, elementary schools, high schools, and higher institutions of learning, usually known as State Educational Institutions and consisting of the University of Missouri, the five State Normal Schools, and Lincoln Institute for training colored teachers.

The high schools are divided into three classes. Each class is required to maintain certain standards prescribed by law. The high schools are inspected by an official of the State Department of Education and if they are up to the required standard they are reported as approved high schools of the first, second, or third class, as the case may be. This approval means that graduates of the school are admitted without examination into all higher educational institutions of the state. It also means, in many special cases, such as Teacher Training High Schools and consolidated Rural High Schools, the payment of a sum of money by the state toward the expense of maintaining the school. This sum is sometimes as high as \$800.

The elementary schools are the great basic schools of the state. One of the greatest problems in the Missouri School System is the rural school. In many country districts the funds that can be raised are not sufficient to enable the people to have a good school. Much good has been accomplished by the state giving aid to weak districts that have levied the constitutional limit of sixty-five cents on the hundred dollars' valuation and still do not have money enough to run an eight months' school. This has done much to equalize the opportunities of boys and girls of Missouri to get an education, but much remains to be done along that line.

**Local Government.** People, interests, customs, and vocations differ very much in different parts of the state. People in large cities require many more rules for governing their activity than the people in a thinly settled rural community. Therefore, a great part of the work of government is delegated by the state to various local governing units. The local governing units of Missouri are the counties, townships, cities, towns, villages, and school districts.

**The County.** The county is the great working unit of government. Its officials come in constant contact with the people both as county officials and as agents of the state government. They make assessments, collect taxes, and distribute money,

for the state. The county court is the important governing body of the county. It is not a court in the sense in which the term is generally used. In most states the bodies having similar duties are called county commissioners, or boards of supervisors. The county court meets at least once each three months and more frequently if necessary. It has general supervisory powers over other county officials, attends to the business of the county, determines the amount of the county tax levy, provides for opening county roads, and appoints minor officials.

The county court is composed of three judges. The presiding judge is elected by the entire county for a term of four years. The two district judges are elected for a term of two years. The county clerk is the clerk of the county court and keeps the business records of the county. The circuit clerk is clerk of the circuit court. The recorder keeps a record of all deeds, mortgages, and other papers concerning the title to property. The sheriff is the peace officer of the county, has charge of all criminals, and persons charged with crime, and he executes the orders of the circuit court. The assessor lists all property of the county. The collector collects the revenues of the county, and the treasurer keeps the money of the county and pays warrants issued by proper authority. The prosecuting attorney is the legal adviser of the county court and prosecutes those who have been arrested for crime.

The surveyor fixes officially the boundary lines of land owned by private citizens in cases where for any reason the parties owning the land desire to have the boundaries established. The superintendent of public schools grants certificates to teach, visits schools, holds public meetings in the interest of education, and has general supervision of the schools of the county. The probate judge looks after the estates of deceased persons and appoints administrators and guardians, who act under his orders. The coroner examines into the causes of any suspicious deaths and has authority to make arrests.

All of the above named county officials, except the district

judges and the prosecuting attorney, serve for a term of four years. Their salaries are fixed by state law and frequently depend upon fees, or population of the county, so that they usually vary in different counties.

**Cities, Towns, and Villages.** Where a large number of people live together in a small area, many problems arise which cannot be handled by the county government. The danger from criminals is increased, fire spreads easily, contagious diseases threaten the public health, and people need to coöperate in many things, such as getting water, lights, sewers, and paved streets. In order that these problems may be solved by the people of each community, the state grants specific governing power to the community, and it may become incorporated and exercise these powers by complying with certain conditions specified by law. These requirements are different for the various classes of cities.

In Missouri there are four classes of cities based on population. The state laws prescribe the officers for each class. Cities are usually governed by a mayor and council. The council passes ordinances and it is the duty of the mayor to enforce them. The mayor has the veto power, and can thus check undesirable legislation by the council. In providing for city government, the national and state government seems to have been used as a model. However, there is a law providing that cities of the second and third class may, by a majority vote, adopt what is known as a commission form of government. City taxation is limited to twenty-five cents on the hundred dollars' valuation for cities whose population is 1000 or less. The rate increases with the population until cities with 30,000 or over are allowed to levy 100 cents on the hundred dollars' valuation. The constitution also limits the debt of cities to 5% of the assessed valuation and requires a two-thirds' vote to legalize a bond issue. This tends to prevent cities from doing many things that could be done better by the city than by the individual or by private corporations.

**School Districts.** The smallest and most numerous of the subdivisions of the state is the school district, which is provided for by state law. The school districts vary greatly in size. The rural district is governed by three directors, whose chief duty is to employ the teacher. The constitution limits taxation to sixty-five cents on the hundred dollars' valuation in the rural districts. The village districts are governed by six directors and are allowed by the constitution to levy 100 cents on the hundred dollars' valuation for school purposes. These districts usually support a high school as well as elementary schools.

**Roads.** The state has provided five plans for building roads and keeping them in repair. First, the county court divides the county into small road districts and appoints a road overseer for each district. A poll tax and a local property tax provides funds for working the roads. Second, road districts eight miles square, containing a village or city may by vote organize a special road district, vote bonds by a two-thirds' vote, and use the proceeds in building rock roads. Third, special benefit assessment road districts may be organized. In this case the road is built and paid for by assessing the land touching or near the road. Fourth, any county court may, provided the county has approved the proposition by a two-thirds' vote, issue bonds to five per cent of the assessed valuation and use the proceeds in building permanent roads. Fifth, in 1916 Congress appropriated \$75,000,000 to be distributed among the states for building roads during the next five years: Missouri's share is about \$2,500,000, but the state must spend an equal amount in constructing permanent roads in order to get the government money.

In 1917 the General Assembly passed a law creating a state highway department to supervise the selection and construction of state roads. The law contemplates the construction of 3,500 miles of permanent state roads to be paid for by the United States and the State of Missouri. The state's part is to be paid out of the state road fund, which is raised by automobile license and other fees. The benefit of good roads to an

agricultural state like Missouri cannot be overestimated. One important benefit would be the increased ability of the rural communities to provide adequate schools for their children. Hard surfaced roads would make the consolidated school, with pupils transported by automobile hacks, the cheapest schools for most of our rural communities.

**Good Government.** Good government depends more upon the attitude and patriotism of the individual citizen than upon the particular form. Money honestly and intelligently spent for needed improvements will always bring excellent returns to the community. The bond to provide money is one of the greatest agents of civilization, and no community can make a mistake in voting bonds, provided, first, the purpose for which the money is to be spent is a worthy one; and, second, provided the community voting the bonds will see that the money is honestly used for the purpose intended.

The value received by the community depends upon the honesty and intelligence of the officials spending the money. Dishonesty and graft in office has in it the elements of treason, for it undermines the confidence of a people in their government. It is one of the worst crimes of which any man can be guilty and should be so considered by the community. The fact that the crime is committed against the community as a whole and not against any particular individual makes it all the more serious, but at the same time the criminal is less likely to be prosecuted because no one person cares to make complaint. Here is where the duty of citizenship should cause every one to act. Any public official who is careless with public funds is an enemy of good government, even though the carelessness is without criminal intent, and it is the duty of every good citizen to prosecute such an official. A good citizen will insist that public officials do their duty and will do all in his power to aid in enforcing the laws. This is just as important as fighting in our army and navy against a national enemy. Be a good citizen.

## QUESTIONS AND SUGGESTIONS

1. How long is the Governor's term of office? What are his powers and duties?
2. Name the other chief state officials.
3. How is the General Assembly made up?
4. How many general trial courts are there in Missouri? Name them. Describe them briefly.
5. Name the various state boards and commissions.
6. What are the powers of the Public Service Commission?
7. How is a county governed and managed?
8. What are the powers of the County Court? Of whom is it composed?
9. Describe the duties of the County clerk, recorder, sheriff, assessor, collector, prosecutor, attorney, surveyor, superintendent of public schools, probate judge, and coroner?
10. What are some of the problems of governing a city?
11. How are cities usually governed?
12. Where does the money come from for building and repairing roads?
13. Are good roads beneficial to rural communities?
14. Upon what does good government really depend?
15. What are the duties of good citizens?



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